



Appl. No. 09/966,849  
Amdt. Dated 30 March, 2004  
Reply to Office Action of Oct. 3, 2003

**Clean Version of Claims as amended:**

Claims 1 - 23 (canceled)

24. (currently amended) A low density aerated milk composition which retains an aerated texture for an extended shelf life at atmospheric pressure, comprising:
- D. about 85% to 95% of a milk ingredient;
  - E. a hydrated emulsifier blend comprising:
    - a. about 0.5% to 1.5% wetting agent;
    - b. about 7% to 15% lactylated mono- and di-glycerides; and
    - c. water; and
  - F. an aerating gas;
- wherein the aerated milk composition is substantially free of added proteins, and hydrocolloids, and has a finished density of about 0.56 g/cc to 1.0 g/cc within 24 to 48 hours after said composition is filled in a package.
25. (original) The composition of claim 24 wherein the milk ingredient of step A is a milk blend that comprises:
- a. about 6% to 24% milk solids;
  - b. about 0% to 10% fat;
  - c. about 0% to 20% sugar;
  - d. about 0.5% to 2% starch;
  - e. about 0.5% to 1.5% gelatin; and
  - g. a starter culture.
26. (original) The composition of claim 25 wherein the gelatin is selected from the group consisting of bovine, porcine, piscine and mixtures thereof.

27. (original) The composition of claim 26 wherein the bloom strength of the gelatin is about 200 to 250.
28. (original) The composition of claim 26 wherein the bloom strength of the gelatin is about 230.
29. (original) The composition of claim 24 wherein the finished density is about 0.70 g/cc to 0.80 g/cc.
30. (original) The composition of claim 24 wherein the finished density is 0.75 g/cc.
31. (original) The composition of claim 25 comprising about 2% to 4% fat and wherein the fat is a dairy fat.
32. (canceled)
33. (original) The composition of claim 24 additionally comprising a fruit prep.
34. (original) The composition of claim 24 wherein a quantity is packaged in a coated paper cup.
35. (original) The composition of claim 24 wherein a quantity is packaged in a plastic container.
36. (original) The composition of claim 35 wherein the container is a plastic cup.
37. (original) The composition of claim 35 wherein the container is a tube fabricated from a flexible film.

38. (original) The composition of claim 35 wherein the tube is fabricated from a flexible film contains about 50 to 100 cc.

39. (original) The composition of claim 25 wherein at least a portion of the milk ingredient is pasteurized bovine milk.

40. (original) The composition of claim 39 wherein the gas is nitrogen.

41. (original) The composition of claim 39 wherein the fat content is less than about 10%.

42. (canceled)

43. (original) The composition of claim 42 having a viscosity of about 52,000 to 55,000cps.

44. (original) The composition of claim 43 having a fat content of about 1% to 5% and wherein the milk ingredient is a stirred style yogurt having a pH of about 4.3 to 4.7.

45. (newly submitted) The composition of claim 24 wherein the wetting agent is selected from the group consisting of polysorbates, propylene glycol esters, sodium dodecyl sulphate, sodium stearyl lactylate, and mixtures thereof.

46. (newly submitted) The composition of claim 24 wherein the lactylated blend of mono- and di-glycerides is selected from the group consisting of lactylated mono-

and di-glycerides, citrate acid esters of mono- and di-glycerides; and distilled monoglycerides.

47. (newly submitted) The composition of claim 24 wherein the milk ingredient of step

A is a milk blend that comprises:

- a. about 6% to 24% milk solids;
- b. about 0% to 10% fat;
- c. about 0% to 20% high potency non-nutritive carbohydrate sweetening agent;
- d. about 0.5% to 2% starch;
- e. about 0.5% to 1.5% gelatin; and
- f. a starter culture.

48. (newly submitted) The milk blend of claim 47 wherein the high potency non-nutritive carbohydrate sweetening agent is sucralose.